REMARKS

Claims 1-38 and 43-48 are pending in this application. Claims 1, 20 and 43 have been amended.

It is believed no new matter has been added.

Claims Rejections – 35 USC § 102

2.   Claims 1-38 and 43-48 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Pashupathy et al (6,078,951).

Claims 1, 20 and 43 have been amended to more particularly claim Applicant's invention that does not require the installation of an application program on the target computer and certainly does not require a reboot and restart process to execute an application program.

Pashupathy discloses the use of a client computer system to set up file viewing. (Col. 4, lns. 12-13.) Accordingly, a file type of the file is determined as well as whether a viewer that supports the file type is installed on the computer system. If the viewer is not installed on the computer system, the computer system obtains a location of the viewer and downloads the viewer from the location. If the viewer is installed on the computer system, a version identifier of the viewer is determined and compared with the version identifier of a current version of the viewer. The current version is then installed on the computer system after instructions on how to install and configure the software on the computer system is retrieved from the server. (Col. 1, lines 65-66 – Col. 2, lines 1-19.) However, the operating system has to be rebooted and restarted prior to viewing any file or software downloaded on the computer system.

Unlike the Pashupathy reference, Applicant's invention is directed at enabling a target computer without any pre-configuration to access and execute a requested application program resident on a server system. The present invention is not limited to setting up for file viewing. The methods are enabled by a helper application that is resident and executes on the target computer, the helper application configuring the computer to execute the application program by reading an application descriptor provided by the server system in response to the request and determining from the application descriptor the necessary configuration required to execute the application program. Further, the helper application controls the computer to execute the application program using the configuration it determined. Thus, the helper application determines if the requested application is executable, if it requires a particular configuration, and

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then controls its instantiation. The methods and systems of the present invention allow a computer to execute different application programs by building dynamically the required configuration, and controlling the execution of each application program. Applicant's invention does not require the installation of Pashupathy's file viewer on the target computer or in the case of Applicant's invention even the installation of the application program on the target computer. Further, Applicant's invention does not require a reboot and restart process every time the application is executed by the helper application.

In particular, the recited invention in amended claim 1 provides a method for serving application programs over a computer network that comprises:

> *the target computer signaling the application server system with a request for an application program;*

> *the application server system responding to the request by transferring an application descriptor to the target computer;*

> *the application descriptor being read by a helper application executing on the target computer, the helper application determining from the application descriptor a configuration required by the target computer to execute the requested application program; and*

> *the helper application controlling the target computer to execute the application program, ~~which resides~~ the application program residing on the application server system, the helper application using said configuration, whereby portions of the application program are retrieved and executed without an installation of the application program on the target computer and wherein the operating system continues to execute in the first session without a reboot and restart of the operating system of the target computer.*

At least for these reasons, the pending claims are neither anticipated by nor obvious in view of the Pashupathy reference and should be allowed.

Claims Rejections – 35 USC § 103

4.   Claims 9, 14, 28 and 33 have been rejected under 35 U.S.C. § 103(a) as being

unpatentable over Pashupathy in view of de Hond

For the reasons stated before with respect to the Pashupathy reference, claims 9, 14, 28

and 33 are not obvious in view of the cited references and should be allowed.

In view of the above amendment, Applicant submits that the pending application is in

condition for allowance, and such action is respectfully solicited. Please charge any fees or

credit any overpayments to Deposit Account No. 08-0219.

Dated: February 17, 2006   Respectfully submitted,

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